

Noise Waiver Determination

Applicant: Hensel Phelps Construction Company, 7768 Woodmont Ave., Bethesda
Sub-Contractor: Blueridge, Inc., 6201 Fallard Dr., Upper Marlboro, MD 20772
Application Date: December 17, 2018
Address of Activity: 7700 block of Woodmont Avenue, Bethesda
Proposed Start Date: February 14, 2019
Proposed Activity: Nighttime installation of storm drain, sanitary sewer and water pipes from 7710 Woodmont Ave. to Norfolk Ave.; Norfolk Ave. to Wisconsin Ave; and the 7750 block of Wisconsin Ave. See the online noise waiver application documents for detailed information.

Justification Provided by Applicant for Waiver Request:

1. Daytime space constraints, vehicle traffic and pedestrian safety severely limit the ability to perform all work during daytime hours.
2. Ongoing daytime work for the new Marriott Headquarters at 7750 Wisconsin Ave. and JBG project at 7900 Wisconsin Ave. currently require extensive vehicle traffic and pedestrian traffic controls on Woodmont Ave. Closing down lanes to accommodate this additional work on Woodmont Ave. during daytime hours would create traffic gridlock.
3. The upgrading of the sanitary sewer and water lines will impact businesses in the area and needs to be performed at night to avoid daytime disruptions of service.
4. Minimizing daytime lane closures on Woodmont Ave. will allow local businesses to receive critical deliveries on time.
5. Minimizing daytime lane closures while other daytime construction activities continue in the area will minimize the added traffic from construction activities during the critical commuting hours.

Grant Noise Waiver? Yes, with terms and conditions

Rationale for Decision: Performing extensive daytime underground utility work within the 7700 block of Woodmont Ave. will have significant impacts on local businesses, traffic and pedestrians. The applicant has identified all nearby potentially impacted residential buildings and will be actively monitoring sound levels during nighttime construction activities. This will allow the applicant to address any excessive noise issues as they are happening. Work involving significant sound levels will be performed as early in the nighttime shift as possible, or during daytime hours if permitted. All staff working on this project will be briefed on the importance of minimizing noise as much as possible. Montgomery County Executive Order 015-17 has designated the Marriott Headquarters and Hotel Project to be a Strategic Economic Development Project.

The applicant has demonstrated sufficient public benefit related to this waiver request by the following:

- Providing necessary upgrades to underground infrastructure involving stormdrain and sanitary sewer lines that serve the public.
- Reducing pedestrian and traffic impacts related to the construction activities.

The Terms and Conditions included in the waiver require regular noise monitoring, and review of the results of the monitoring with DEP. The waiver can be modified or revoked if the results of the monitoring indicate that the noise received by nearby receptors is unreasonably loud.

Terms and Conditions:

1. All machinery belonging to Blueridge Inc. utilized at this job site shall be outfitted with white noise back-up alarms.
2. The unnecessary backing of machinery and trucks with traditional tonal backup alarms must be avoided, and the work site shall be configured to minimize the backing of trucks removing and delivering materials and equipment.
3. All reasonable efforts should be made to perform the noisiest activities as early in evening as possible, or during daytime hours.
4. Machinery shall be inspected daily and equipped with proper noise attenuation measures to minimize construction noise, including, but not limited to well-maintained and effective mufflers. Moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts. Machinery access doors and hatches should remain closed when the units are in operation and all machinery should be operated at the minimum level necessary to get the job done. Minimize banging, clattering, buzzing and other annoying types of noises.
5. Noise mitigation barriers should be erected around loud pieces of stationary machinery (e.g., generators, pumps, etc.).
6. All onsite staff, including delivery truck drivers, should be notified of noise mitigation procedures prior to work. Dump truck tailgate slamming/banging is prohibited.
7. Where possible, the local power grid should be used to reduce the use of internal combustion powered machinery.
8. Prolonged idling of machinery and vehicles must be avoided. If machinery or vehicles are not utilized for long periods, they should be shut off to reduce idling noise.
9. Regular communications must be provided to nearby residential buildings, so they are aware of the work schedule and expected noise related to construction activities.
10. Noise levels must be monitored at sensitive receptor locations around the site. The decibel levels and locations of the monitoring sites must be reported to DEP and kept in a log on site, which shall be available for inspection and review upon request.
11. A log must be maintained on site containing detailed information concerning any complaints received regarding noise from this construction project.
12. DEP may suspend or revoke this approval for any violation of the terms and conditions, and may make modifications to the terms and conditions based on the results of noise monitoring or the noise impact of certain activities.